

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No.
)	
ONE HUNDRED TWENTY-ONE)	
THOUSAND, ONE HUNDRED AND)	
TEN DOLLARS (\$121,110.00))	
U.S. CURRENCY,)	
)	
Defendant.)	

VERIFIED COMPLAINT OF FORFEITURE

Plaintiff, the United States of America, by and through its attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Stephen Casey, Assistant United States Attorney, for said district, and for its Verified Complaint for Forfeiture states as follows:

NATURE OF THE ACTION

1. This is a civil action *in rem* brought by the United States of America seeking forfeiture of all right, title, and interest in the above-captioned defendant property pursuant Title 21, United States Code, Section 881(a)(6) and Title 18, United States Code, Sections 981(a)(1)(A) and (C).

2. The defendant property was seized by law enforcement on or about March 5, 2019, and is described more fully as one hundred twenty-one thousand, one hundred and ten dollars in U.S. currency (\$121,110.00) (the “defendant property”).

JURISDICTION AND VENUE

3. The Court has jurisdiction over this action pursuant to Title 28, United States Code, Sections 1345, 1355, and 1395.

4. Venue is proper pursuant to Title 28, United States Code, Section 1355(b)(1)(A) because the acts and omissions giving rise to forfeiture took place in the Eastern District of Missouri. Venue is also proper pursuant to Title 28, United States Code, Section 1395(b) because the defendant currency was seized in the Eastern District of Missouri.

STATUTORY FRAMEWORK

5. Title 21, United States Code, Section 881(a)(6) authorizes the civil forfeiture of “all moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of this subchapter, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this subchapter.”

6. Title 18, United States Code, Section 1956(a)(1)(A)(i) criminalizes conducting a transaction, including transferring, delivering, or other disposition, knowing that such transaction represents the proceeds of some form of unlawful activity and that in fact involves the proceeds of a specific unlawful activity, including violations of the Controlled Substances Act, with the intent to promote the carrying on of the specified unlawful activity.

7. Title 18, United States Code, Section 1956(a)(1)(B) criminalizes conducting a transaction, including transfer, delivery, or other disposition, knowing that such transaction represents the proceeds of some form of unlawful activity and that in fact involves the proceeds of a specific unlawful activity, including violations of the Controlled Substances Act, knowing that the transaction is designed in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds of specified unlawful activity.

8. Pursuant to Title 18, United States Code, Section 981(a)(1)(A), any property, real

or personal, involved in a transaction or attempted transaction in violation of section 1956 of Title 18, or any property traceable to such property, is subject to civil forfeiture.

9. Title 18, United States Code, Section 1952 criminalizes traveling in interstate commerce with the intent to distribute the proceeds of any unlawful activity, including a business enterprise involving controlled substances, or otherwise promoting, managing, establishing, carry on, or facilitating the promotion, management, establishment, or carrying on, of such unlawful activity.

10. Pursuant to Title 18, United States Code, Section 981(a)(1)(C), any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 1952 is subject to civil forfeiture.

FACTS GIVING RISE TO THE FORFEITURE

11. Carl Magliocchetti (“Magliocchetti”) is a resident of Kingston, Rhode Island.

12. On or about March 5, 2019, Magliocchetti was driving a gray Toyota Camry (“Camry”) westbound on Interstate 70 within the Eastern District of Missouri.

13. On or about March 5, 2019, law enforcement officers observed the Camry near the 205 mile marker in Foristell, Missouri. Officers observed a traffic violation and conducted a traffic stop of the Camry.

14. Officers approached the Camry and contacted Magliocchetti. Magliocchetti provided the officers with his driver’s license and a rental agreement for the Camry.

15. According to the rental agreement, the vehicle was rented in Providence, Rhode Island on February 25, 2019 and was scheduled to be returned to Vancouver, Washington on March 5, 2019.

16. Officers asked Magliocchetti if he was going to return the Camry on the return date

listed on the rental agreement. Magliocchetti stated that he had extended the rental period.

17. Officers asked Magliocchetti about his travels. Magliocchetti stated he was driving from Rhode Island to Oregon to visit his sister. Magliocchetti then stated he was driving the Camry back to Rhode Island after the visit. Officers asked him why he didn't fly and he said he wanted to see the country.

18. The officers observed Magliocchetti visibly shaking while speaking and exhibited a definite lack of eye contact. The officers perceived Magliocchetti's body language indicated more than he was saying. The officers were also aware that Oregon is a known source area for high grade marijuana.

19. Magliocchetti agreed to exit the Camry at the officers' request.

20. A certified drug detection canine was deployed for a "free air sniff" of the Camry. The canine gave an affirmative response to the presence of a controlled substance at the rear of the vehicle.

21. Officers conducted a probable cause search of the Camry based on the affirmative response of the canine and the events of the stop to that point.

22. Officers opened the trunk of the Camry and observed a gray duffle bag with a dark towel covering it. When officers opened the bag, it contained male clothing with the tags still on them. There was a large gray plastic bag inside the duffle bag. The gray plastic bag had a second bag inside that matched the outer bag. The items inside the package felt similar to solid bricks of contraband based on the officers' training and experience.

23. Officers asked Magliocchetti if he knew what was inside the bag. Magliocchetti replied that it was film. Officers asked him if he was positive the bag contained film and he responded yes. Officers asked again and Magliocchetti stated his friend "John" told him it was

film.

24. Officers looked closely at the bag and realized it contained vacuum sealed bricks consistent with bulk currency smuggling and drug trafficking. Officers moved the investigation to a safer location.

25. Magliocchetti was handcuffed and advised of his Miranda rights. He said he understood his rights.

26. Magliocchetti was transferred to Superior Transport in O'Fallon, Missouri. The Camry was driven to Superior Transport with permission from Magliocchetti. The suspected bulk currency remained in the Camry during transport.

27. While driving with Magliocchetti, an officer asked Magliocchetti why he was driving such a long distance instead of flying. Magliocchetti responded that he drove so he could "sight see" along the way. The officer asked about the items wrapped in plastic in the truck. Magliocchetti stated that a person he only knew as "John" asked Magliocchetti to transport the film for him. He was adamant that the contents were film.

28. The officer asked Magliocchetti about his current employment. Magliocchetti stated he worked as a bartender in Colorado for a year but quit in June 2018. Magliocchetti said he was currently unemployed. Magliocchetti further stated he had saved approximately \$20,000.00 from bartending and was living off that money. The officer asked if the \$20,000.00 was in the vehicle to which Magliocchetti said it was not. Magliocchetti stated he was the only person operating the Camry and no one else had rights to the vehicle or its contents.

29. Upon arrival at Superior Transport, the package in the trunk was opened and the contents revealed vacuum sealed packages with carbon paper covering the contents. The vacuum sealed packages were opened revealing bulk currency inside. The currency was wrapped in rubber

bands and bundled in unknown amounts. The bulk currency from the duffel bag consisted of mainly \$20 denomination. The currency was later counted and determined to be \$121,110.00.

30. A certified drug detection canine was deployed for a discretionary sniff of the bulk currency. The canine gave an affirmative response to the presence of a controlled substance on the bulk currency.

31. The bag also contained a prescription pill bottle with Magliocchetti's name on it and a pre-paid cellular telephone with several pre-paid phone cards. Magliocchetti's personal cellular phone was located in the driver's side compartment of the vehicle.

32. During a secondary search of the vehicle, receipts were located which indicated Magliocchetti had made several trips around the United States. One receipt indicated that he had recently acquired a storage unit at "Life Storage" in East Greenwich, Rhode Island on January 25, 2019. Magliocchetti had earlier stated that he moved back to Rhode Island in the summer of 2018.

33. Other receipts for fuel indicated a prior trip between Rhode Island and Oregon in February 2019. Officers also discovered a paper cup holder that had a Portland, Oregon address and a phone number written on it.

34. Additional officers arrived and asked Magliocchetti about his reason for travel. He said he rented the Camry to drive from Kingston, Rhode Island to Portland, Oregon to watch his sister's recital. He could not provide a venue for the recital or an address.

35. Officers asked Magliocchetti if he had ever been in trouble with the police and he said he had not. Officers later discovered that in February 2014 Magliocchetti turned himself in to the Durango County, Colorado jail after a warrant was issued for his arrest for the offenses of identity theft and misdemeanor theft.

36. Officers asked about the duffel bag and he said a white male by the name of John

with an unknown last name gave him the film to transport west for him. Magliocchetti said that John would contact him via Facebook and give him an address to deliver the film at a later time.

37. Officers asked Magliocchetti about the bulk currency in the Camry and he stated he had no knowledge of the currency and he denied ownership of the currency.

38. Officers asked about the prepaid telephone and Magliocchetti said he had to purchase the pre-paid phone when his cellular phone stopped working a few months ago. Officers asked permission to search the prepaid cellular telephone and his personal cellular telephone and Magliocchetti refused to give consent.

39. Officers asked for consent to send investigators to search the storage locker in Rhode Island and Magliocchetti refused to give consent.

40. Magliocchetti signed a written statement stating that he was not aware of the U.S. currency in the vehicle and the currency was not his.

41. Investigators contacted officers in Rhode Island to conduct a free air sniff of the storage locker, which Magliocchetti had a receipt for in his vehicle. On the evening of March 5, 2019, investigators utilized a drug detection canine to conduct a sniff of the exterior of the storage locker. The canine gave a positive alert to the locker.

42. On March 5, 2019, investigators obtained a search warrant and opened the storage locker. The interior of the storage locker revealed a pull-behind camper trailer with a Rhode Island license plate. The interior of the camper revealed an after-market installed concealed compartment, commonly referred to as a “vehicle trap,” typically utilized by drug traffickers to transport drugs and/or drug proceeds. A further search of the interior of the storage locker revealed numerous empty plastic baggies and wrapping material. These materials are indicative of drug trafficking.

COUNT ONE – FORFEITURE
21 U.S.C. § 881(a)(6)

43. The United States incorporates by reference the allegations set forth in Paragraphs 1 to 42 above as if fully set forth herein.

44. The defendant property is bulk U.S. currency that was discovered by law enforcement officers in bundles, wrapped in rubber bands, in denominations and a manner that is consistent with drug trafficking. In addition, the defendant property was found concealed in a duffel bag in the trunk of a vehicle occupied by Magliocchetti, who provided inconsistent stories of its source, ownership, and intended use. A certified narcotics canine alerted positively to the presence of a controlled substance on the defendant property.

45. Magliocchetti also possessed indicia of drug trafficking, including pre-paid cellular telephones and a receipt to a storage locker that contained a vehicle with a concealed compartment.

46. Based on the foregoing, the defendant currency is subject to forfeiture pursuant to Title 21, United States Code, Section 881(a)(6) as money furnished or intended to be furnished in exchange for a controlled substance, as proceeds traceable to such an exchange, and as money to be used to facilitate a violation of the Controlled Substances Act.

COUNT TWO – FORFEITURE
18 U.S.C. § 981(a)(1)(A)

47. The United States incorporates by reference the allegations set forth in Paragraphs 1 to 42 above as if fully set forth herein.

48. The defendant currency is proceeds of an unlawful activity involving controlled substances and was transported through the Eastern District of Missouri by Magliocchetti with the intent to promote the carrying on of, and to conceal or disguise the nature, location, source, ownership or control of, a specified unlawful activity, that is a conspiracy to traffic in marijuana.

49. Based on the foregoing, the defendant currency is subject to forfeiture, pursuant to Title 18, United States Code, Section 981(a)(1)(A) as property involved in a transaction or attempted transaction in violation of Title 18, United States Code, Section 1956, or as property traceable to such property.

COUNT THREE – FORFEITURE
18 U.S.C. § 981(a)(1)(C)

50. The United States incorporates by reference the allegations set forth in Paragraphs 1 to 42 above as if fully set forth herein.

51. The defendant currency is proceeds of an unlawful activity involving controlled substances that travelled with Magliocchetti in interstate commerce with the intent to distribute it, and otherwise promote, manage, establish, carry on, or facilitate the promotion, management, establishment, or carrying on, of an unlawful activity involving controlled substances.

52. Based on the foregoing, the defendant currency is subject to forfeiture, pursuant to Title 18, United States Code, Section 981(a)(1)(C) as property that constitutes or is derived from proceeds traceable to a violation of Title 18, United States Code, Section 1952.

PRAYER FOR RELIEF

WHEREFORE, the United States of America prays that a Warrant for Arrest be issued in rem for the defendant currency and the defendant currency be condemned and forfeited to the United States of America, in accordance with the provisions of law; and that the United States of America be awarded its costs in this action, and have such other relief as provided by law and the nature of the case may require.

Respectfully submitted,

JEFFREY B. JENSEN
United States Attorney

/s/ Stephen Casey

STEPHEN CASEY, #58879(MO)

Assistant United States Attorney

111 South 10th Street, Suite 20.333

Saint Louis, Missouri 63102

Telephone: (314) 539-2200

Stephen.Casey3@usdoj.gov

VERIFICATION

I, Christopher Most, hereby verify and declare under penalty of perjury that I am a Special Agent with the Drug Enforcement Administration, that I have read the foregoing Verified Complaint and know the contents thereof, and that the matters contained in the Verified Complaint are true to my own knowledge and belief.


The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Special Agent with the Drug Enforcement Administration.

Pursuant to 28 U.S.C. ' 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: _____

2/24/20

(date)



CHRISTOPHER MOST
Special Agent
Drug Enforcement Administration

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

DEFENDANTS

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|--|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated <i>or</i> Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated <i>and</i> Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition			

V. ORIGIN

(Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify) _____
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

I. (a) Plaintiffs-Defendants. Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.

(b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)

(c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.C.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.

United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; federal question actions take precedence over diversity cases.)

III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's decision.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553
Brief Description: Unauthorized reception of cable service

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

Demand. In this space enter the dollar amount (in thousands of dollars) being demanded or indicate other demand such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related pending cases if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

	,)	
	plaintiff,)	
)	
v.)	Case No.
)	
	,)	
	defendant.)	

ORIGINAL FILING FORM

THIS FORM MUST BE COMPLETED AND VERIFIED BY THE FILING PARTY WHEN INITIATING A NEW CASE.

THIS CAUSE, OR A SUBSTANTIALLY EQUIVALENT COMPLAINT, WAS
PREVIOUSLY FILED IN THIS COURT AS CASE NUMBER _____
AND ASSIGNED TO THE HONORABLE JUDGE _____.

NEITHER THIS CAUSE, NOR A SUBSTANTIALLY EQUIVALENT COMPLAINT,
PREVIOUSLY HAS BEEN FILED IN THIS COURT, AND THEREFORE MAY BE
OPENED AS AN ORIGINAL PROCEEDING.

The undersigned affirms that the information provided above is true and correct.

Date: _____

Signature of Filing Party

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No.
)	
ONE HUNDRED TWENTY-ONE)	
THOUSAND, ONE HUNDRED AND)	
TEN DOLLARS (\$121,110.00))	
U.S. CURRENCY,)	
)	
Defendant.)	

WARRANT FOR ARREST OF PROPERTY

TO: THE UNITED STATES MARSHAL AND/OR ANY OTHER DULY AUTHORIZED
LAW ENFORCEMENT OFFICER FOR THE EASTERN DISTRICT OF MISSOURI

Whereas, on February 24, 2020, the United States of America filed a Verified Complaint for Civil Forfeiture in the United States District Court for the Eastern District of Missouri, against the above-named defendant property, alleging that said property is subject to seizure and civil forfeiture to the United States for the reasons mentioned in the complaint; and

WHEREAS, the defendant property is currently in the possession, custody, or control of the United States; and

WHEREAS, in these circumstances, Supplemental Rule G(3)(b)(i) directs the Clerk of the Court to issue an arrest warrant in rem for the arrest of the defendant property; and

WHEREAS, Supplemental Rule G(3)(c) provides that the warrant of arrest in rem must be delivered to a person or organization authorized to execute it;

NOW THEREFORE, you are hereby commanded to arrest the above-named defendant property by serving a copy of this warrant on the custodian in whose possession, custody, or

control the property is presently found, and to use whatever means may be appropriate to protect and maintain it in your custody until further order of this Court,

YOU ARE FURTHER COMMANDED, promptly after execution of this process, to file the same in this Court with your return thereon, identifying the individuals upon whom copies were served and the manner employed.

GREGORY J. LINHARES, CLERK
United States District Court

By: _____
Deputy Clerk

Date: _____